

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, DECEMBER 11, 2019

SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

2019 DEC 11 A 11: 58

CASE NO. PUR-2019-00189

APPLICATION OF

LEGACY ENERGY GROUP, LLC

For a license to do business as an
electricity aggregator

ORDER FOR NOTICE AND COMMENT

On November 8, 2019, Legacy Energy Group, LLC ("Legacy Energy" or "Company"), filed an application with the State Corporation Commission ("Commission") for a license to do business as an electricity and natural gas aggregator in the Commonwealth of Virginia ("Application").¹ The Company seeks authority to market aggregation services to eligible commercial, industrial, and governmental customers in the service territories in Virginia that are open to retail choice competition.² Legacy Energy attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.³

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Legacy Energy's Application; Legacy Energy should serve this Order

¹ On November 20, 2019, Legacy Energy provided additional information amending its Application to include natural gas aggregation services.

² Retail choice for natural gas service only exists in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s. Retail choice for electricity exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

³ 20 VAC 5-312-10 *et seq.*

191220014

upon appropriate persons; the Commission's Staff ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2019-00189.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. A copy of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.
- (4) On or before December 16, 2019, Legacy Energy shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before December 23, 2019, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.
- (6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Mike Stumpo, Legacy Energy

Group, LLC, 58 Winchester Street, Warrenton, VA 20186. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before December 30, 2019, by either of the following methods. An original and fifteen (15) copies of any comments may be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (5). In the alternative, comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2019-00189.

(8) The Staff shall analyze Legacy Energy's Application and shall present its findings in a Staff Report to be filed on or before January 8, 2020.

(9) On or before January 15, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(10) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail as well as by first class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:
Mike Stumpo, Legacy Energy Group, LLC, 58 Winchester Street, Warrenton, VA 20186; and
C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel,
Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424;
Craig G. Goodman, President, National Energy Marketers Association, 3333 K Street NW, Suite
110, Washington, D.C. 20007; and Irene Leech, Virginia Citizens Consumer Council, 4220
North Fork Road, Elliston, Virginia 24087. A copy also shall be delivered to the Commission's
Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility
Regulation.